

Appl No. 09/733,230
Amdt. dated May 22, 2006
Reply to Office Action of February 27, 2006

Atty. Ref. 81800.0143
Customer No. 26021

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-3, 5-8, 10-12 and 14 are pending. Since no claims are amended, added or canceled, no listing of claims is required under 37 CFR 1.121.

Claim Rejections - 35 USC 103(a)

Claims 1-3, 5-8, 10-12 and 14 are rejected under 35 USC 103(a) as obvious over Council (US 6,192,114) in view of Taylor (US 5,922,071). Applicant respectfully traverses these rejections, and submits that these claims distinguish over the cited references. In particular, the references do not teach or suggest the limitation, present in independent claims 1, 2 and 10 that:

...the control unit accepts the request for data transfer if the e-mail is received over LAN and does not accept the request for data transfer if the e-mail is received over the internet...

This feature allows or does not allow transfer of data, based on the network path of that data. If the data is received via a LAN, it is allowed to be transferred. Conversely, if the data is received via the internet, it is not allowed to be transferred. This is advantageous, for example, in that it can help prevent the misuse of resource by a third party.

The Office Action asserts that Council teaches this limitation in col. 4 lines 8-23. Applicant respectfully disagrees and submits that the Office Action misconstrues Council. The cited passages of Council disclose checking an e-mail message's source address to see if it is on a list of authorized email addresses. If the address is authorized, the email is saved in a location that can be accessed by the receiving party. If the address is not authorized, then the sender is either charged a fee and the message is allowed to be accessed by the receiving party, or the sending party is notified that they have not authorized such charging.

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Applicant respectfully submits that deciding the ultimate fate of an email based on the address of the transmitter and whether or not billing is authorized does not teach or suggest the above cited limitation. Specifically, Council does not teach or suggest accepting a request for data transfer if the e-mail is received over LAN and denying the request if the e-mail is received over the Internet. There is no distinction between receipt of the email over a LAN of the Internet, rather, Council is concerned only with whether a particular email address has authorized billing. Council does not provide or suggest the security (prevention of misuse) features of applicant's invention.


Thus, Council fails to teach or suggest each and every limitation of independent claims 1, 2 and 10. Taylor is cited for its relevance to learning commands which automatically launch a computer program, and does not remedy the deficiencies of Council. Accordingly, Applicant respectfully submits that the rejection of independent Claim 1 should be withdrawn.

Conclusion

This application is in condition for allowance. The Examiner is urged to telephone the undersigned to resolve any issues that remain after consideration of this reply. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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